

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

Gregory Horne,

Petitioner,

**Case No. 2:23-cv-2647**

v.

Judge Michael H. Watson

Warden, FCI Milan,

Magistrate Judge Vascura

Respondent.

**ORDER**

On October 16, 2023, Magistrate Judge Vascura issued a Report and Recommendation ("R&R") recommending the Court dismiss Petitioner's petition for habeas corpus due to Petitioner's failure to prosecute. The R&R notified Petitioner of his right to object to that recommendation, but Petitioner has failed to file timely objections. Accordingly, the Court **ADOPTS** the R&R and **DISMISSES WITHOUT PREJUDICE** Petitioner's habeas corpus petition, pursuant to Federal Rule of Civil Procedure 41(b). Further, the Court finds that reasonable jurists would not debate Petitioner's failure to prosecute, and any appeal of this Order would not be taken in good faith. Thus, the Court **DENIES** a certificate of appealability and **DENIES** leave to proceed *in forma pauperis* on appeal. The Clerk shall terminate this case.

IT IS SO ORDERED.

  
MICHAEL H. WATSON, JUDGE  
UNITED STATES DISTRICT COURT